

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

Claims 1-8 and 14-19 were previously pending in the application. Claims 1-5 and 14-19 are canceled, leaving claims 6-8 for consideration.

Applicant notes with appreciation the indication that claims 6-8 are allowable. In reliance thereon, claim 6 is rewritten in independent form.

Claim 6 as thus amended clarifies that the transmitted optical signal is an optical wavelength-division multiplexed signal. In addition, claim 6 as thus amended incorporates the subject matter of claims 2, 4 and 5 and recites a plurality of wavelength channels and a frame configuration unit for configuring frames of wavelength channels. The above-noted amendment to claim 6 is believed to address the 35 USC 112, second paragraph rejection noted in the Official Action.

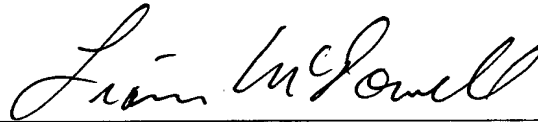
Since the claims remaining in the application are directed to allowable subject matter, the non-statutory obviousness-type double patenting rejection over ASAHI 6,619,867 is believed moot. Likewise, the rejection over OKAYAMA et al. 5,636,045 is also believed moot. In addition, the rejections over SANSONETTI et al. 5,737,106, SPANKE 5,572,350 and MURATA 6,654,562 are believed moot.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been placed in condition for allowance. Allowance and passage to issue on that basis are accordingly respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Liam McDowell, Reg. No. 44,231
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

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